

H 9260

## CONGRESSIONAL RECORD—HOUSE

October 6, 1986

(e) **LOCAL INVOLVEMENT.**—To the fullest extent possible, projects supported under this section shall include close consultation with and involvement of local people at all stages of design and implementation.

(f) **PVOs AND OTHER NONGOVERNMENTAL ORGANIZATIONS.**—Whenever feasible, the objectives of this section shall be accomplished through projects managed by appropriate private and voluntary organizations, or international, regional, or national nongovernmental organizations, which are active in the region or country where the project is located.

(g) **ACTIONS BY AID.**—The Administrator of the Agency for International Development shall—

(1) cooperate with appropriate international organizations, both governmental and nongovernmental;

(2) look to the World Conservation Strategy as an overall guide for actions to conserve biological diversity;

(3) engage in dialogues and exchanges of information with recipient countries which stress the importance of conserving biological diversity for the long-term economic benefit of those countries and which identify and focus on policies of those countries which directly or indirectly contribute to loss of biological diversity;

(4) support training and education efforts which improve the capacity of recipient countries to prevent loss of biological diversity;

(5) whenever possible, enter into long-term agreements in which the recipient country agrees to protect ecosystems or other wildlife habitats recommended for protection by relevant governmental or nongovernmental organizations or as a result of activities undertaken pursuant to paragraph (6), and the United States agrees to provide, subject to obtaining the necessary appropriations, additional assistance necessary for the establishment and maintenance of such protected areas;

(6) support, as necessary and in cooperation with the appropriate governmental and nongovernmental organizations, efforts to identify and survey ecosystems in recipient countries worthy of protection;

(7) cooperate with and support the relevant efforts of other agencies of the United States Government, including the United States Fish and Wildlife Service, the National Park Service, the Forest Service, and the Peace Corps;

(8) review the Agency's environmental regulations and revise them as necessary to ensure that ongoing and proposed actions by the Agency do not inadvertently endanger wildlife species or their critical habitats, harm protected areas, or have other adverse impacts on biological diversity (and shall report to the Congress within a year after the date of enactment of this paragraph on the actions taken pursuant to this paragraph);

(9) ensure that environmental profiles sponsored by the Agency include information needed for conservation of biological diversity; and

(10) deny any direct or indirect assistance under this chapter for actions which significantly degrade national parks or similar protected areas or introduce exotic plants or animals into such areas.

(h) **ANNUAL REPORTS.**—Each annual report required by section 634(a) of this Act shall include, in a separate volume, a report on the implementation of this section."

# **TITLE IV—MISCELLANEOUS PROVISIONS RELATING TO CERTAIN FOREIGN ASSISTANCE PROGRAMS**

## **SEC. 401. INCREASE AUTHORIZATION FOR INTERNATIONAL NARCOTICS CONTROL PROGRAMS.**

Section 482(a)(1) of the Foreign Assistance Act of 1961 is amended by striking out "\$57,529,000 for the fiscal year 1987" and inserting in lieu thereof "\$65,445,000 for the fiscal year 1987".

## **SEC. 402. AUTHORIZING A SEPARATE LINE ITEM APPROPRIATION FOR THE INSPECTOR GENERAL OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT.**

Section 667(a)(1) of the Foreign Assistance Act of 1961 is amended by inserting after "Act" the following: ", of which \$21,750,000 for the fiscal year 1987 is authorized for the necessary operating expenses of the Office of the Inspector General of the Agency for International Development and the remaining amount for the fiscal year is authorized for other necessary operating expenses of that agency".

## **SEC. 403. ADDITIONAL PROVISIONS.**

(a) **BOARD OF THE INTER-AMERICAN FOUNDATION.**—Section 401(g) of the Foreign Assistance Act of 1969 (22 U.S.C. 290f.(g)) is amended by striking out "seven" in the first sentence and "Four" in the second sentence and inserting in lieu thereof "nine" and "Six", respectively.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect 120 days after the date of enactment of this Act.

## **SEC. 404. OFFSETTING REDUCTIONS IN CERTAIN FOREIGN ASSISTANCE PROGRAMS.**

In order to provide the increased authorizations of appropriations contained in section 103(b), section 202(e), and section 401 without increasing the overall amount authorized to be appropriated for foreign assistance programs for fiscal year 1987—

(1) section 104(g)(1)(B) of the Foreign Assistance Act of 1961 (relating to development assistance for health programs) is amended by striking out "\$205,000,000 for fiscal year 1987" and inserting in lieu thereof "\$180,000,000 for fiscal year 1987"; and

(2) section 302(a)(1) of that Act (relating to international organizations and programs) is amended by striking out "\$270,000,000 for fiscal year 1987" and insert in lieu thereof "\$236,084,000 for fiscal year 1987".

## **SEC. 405. CONFORMING AMENDMENT.**

Paragraph (6) of section 413(a) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (Public Law 99-399) is repealed; and the sentence of section 209(a)(1) of the Foreign Service Act of 1980 which was repealed by that paragraph is hereby re-enacted.

Mr. FASCELL (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment to the House amendments be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

Mr. SOLOMON. Mr. Speaker, reserving the right to object, I will not object, but I would like to yield to our distinguished chairman for a very brief explanation of this bill, which has already passed the House.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Speaker, the Senate bill, S. 1917, as amended by the

other body, is essentially the same measure that this body passed on August 25.

The only changes that have been made in the House amendment were to leave the period of service on the board of the Inter-American Foundation at the original 6 years; increase the authorization for the office of the inspector general for the agency to the Senate level, which is the same appropriation level, and I remind my colleague, of course, that that is not new money because the bill also provides that for every increase in authorization, there has to be an offset.

In addition, the Senate amendment includes some oratory language emphasizing the role of the private sector in development efforts.

Mr. SOLOMON. Mr. Speaker, further reserving the right to object, the other body, as the good chairman has said, made only three fairly routine changes in this House amendment, and I see no reason not to go along with them so that this legislation can at last be cleared for the President's signature.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from Florida?

There was no objection.

A motion to reconsider was laid on the table.

## **PERMISSION FOR COMMITTEE ON FOREIGN AFFAIRS TO HAVE UNTIL MIDNIGHT, WEDNESDAY, OCTOBER 8, 1986, TO FILE REPORT ON H.R. 4568, TO CLARIFY CERTAIN AUTHORITIES OF THE SECRETARY OF THE INTERIOR**

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs have until midnight Wednesday, October 8, 1986, to file its report on H.R. 4568, to clarify certain authorities of the Secretary of the Interior, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

## **COMPUTER FRAUD AND ABUSE ACT OF 1986**

Mr. HUGHES. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4718) to amend title 18, United States Code, to provide additional penalties for fraud and related activities in connection with access devices and computers, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

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The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Computer Fraud and Abuse Act of 1986".

## SEC. 2. SECTION 1030 AMENDMENTS.

(a) MODIFICATION OF DEFINITION OF FINANCIAL INSTITUTION.—Section 1030(a)(2) of title 18, United States Code, is amended—

(1) by striking out "knowingly" and inserting "intentionally" in lieu thereof;

(2) by striking out "as such terms are defined in the Right to Financial Privacy Act of 1978 (12 U.S.C. 3401 et seq.);"

(3) by striking out the term "or" where it appears at the end of section 1030(a)(2) of title 18; and

(4) by adding after the term "financial institution" the following: "or of a card issuer as defined in section 1602(n) of title 15."

(b) MODIFICATION OF EXISTING GOVERNMENT COMPUTERS OFFENSE.—Section 1030(a)(3) of title 18, United States Code, is amended—

(1) to read as follows:

"(3) intentionally, without authorization to access any computer of a department or agency of the United States, accesses such a computer of that department or agency that is exclusively for the use of the Government of the United States or, in the case of a computer not exclusively for such use, is used by or for the Government of the United States and such conduct affects the use of the Government's operation of such computer;" and

(2) by striking out the flush language after section 1030(a)(3) of title 18, United States Code, beginning with "It is not an offense" and all that follows through "use of the computer."

(c) MODIFICATION OF AUTHORIZED ACCESS ASPECT OF OFFENSES.—Paragraphs (1) and (2) of section 1030(a) of title 18, United States Code, are each amended by striking out, or having accessed" and all that follows through "does not extend" and inserting "or exceeds authorized access" in lieu thereof.

(d) NEW OFFENSES.—Section 1030(a) of title 18, United States Code, is amended by inserting after paragraph (3) the following:

"(4) knowingly and with intent to defraud, accesses a Federal interest computer without authorization, or exceeds authorized access, and by means of such conduct furthers the intended fraud and obtains anything of value, unless the object of the fraud and the thing obtained consists only of the use of the computer;

"(5) intentionally access a Federal interest computer without authorization, and by means of one or more instances of such conduct alters damages, or destroys information in any such Federal interest computer, or prevents authorized use of any such computer or information, and thereby—

"(A) causes loss to one or more others of a value aggregating \$1,000 or more during any one year period; or

"(B) modifies or impairs, or potentially modifies or impairs, the medical examination, medical diagnosis, medical treatment, or medical care of one or more individuals; or

"(6) knowingly and with intent to defraud traffics (as defined in section 1029) in any password or similar information through which a computer may be accessed without authorization, if—

"(A) such trafficking affects interstate or foreign commerce; or

"(B) such computer is used by or for the Government of the United States;"

(e) ELIMINATION OF SECTION SPECIFIC CONSPIRACY OFFENSE.—Section 1030(b) of title 18, United States Code, is amended—

(1) by striking out "(1)"; and

(2) by striking out paragraph (2).

(1) PENALTY AMENDMENTS.—Section 1030 of title 18, United States Code, is amended—

(1) by striking out "of not more than the greater of \$10,000" and all that follows through "obtained by the offense" in subsection (c)(1)(A) and inserting "under this title" in lieu thereof;

(2) by striking out "of not more than the greater of \$100,000" and all that follows through "obtained by the offense" in subsection (c)(1)(B) and inserting "under this title" in lieu thereof;

(3) by striking out "or (a)(3)" each place it appears in subsection (c)(2) and inserting "(a)(3) or (a)(6)" in lieu thereof;

(4) by striking out "of not more than the greater of \$5,000" and all that follows through "created by the offense" in subsection (c)(2)(A) and inserting "under this title" in lieu thereof;

(5) by striking out "of not more than the greater of \$10,000" and all that follows through "created by the offense" in subsection (c)(2)(B) and inserting "under this title" in lieu thereof;

(6) by striking out "not than" in subsection (e)(2)(B) and inserting "not more than" in lieu thereof;

(7) by striking out the period at the end of subsection (c)(2)(B) and inserting ";" and in lieu thereof;

(8) by adding at the end of subsection (c) the following:

"(3)(A) a fine under this title or imprisonment for not more than five years, or both, in the case of an offense under subsection (a)(4) or (a)(5) of this section which does not occur after a conviction for another offense under such subsection, or an attempt to commit an offense punishable under this subparagraph; and

"(B) a fine under this title or imprisonment for not more than ten years, or both, in the case of an offense under subsection (a)(4) or (a)(5) of this section which occurs after a conviction for another offense under such subsection, or an attempt to commit an offense punishable under this subparagraph;" and

(9) by deleting the term "(b)(1)" where it appears in the first line of section 1030(c) of title 18 and inserting in lieu thereof the term "(b)".

(g) CONFORMING AMENDMENTS TO DEFINITIONS PROVISION.—Section 1030(e) of title 18, United States Code, is amended—

(1) by striking out the comma after "As used in this section" and inserting a one-em dash in lieu thereof;

(2) by aligning the remaining portion of the subsection so that it is cut in two ems and begins as an indented paragraph, and inserting "(1)" before "the term";

(3) by striking out the period at the end and inserting a semicolon in lieu thereof; and

(4) by adding at the end thereof the following:

"(2) the term 'Federal interest computer' means a computer—

"(A) exclusively for the use of a financial institution or the United States Government, or, in the case of a computer not exclusively for such use, used by or for a financial institution or the United States Government and the conduct constituting the offense affects the use of the financial institution's operation or the Government's operation of such computer; or

"(B) which is one of two or more computers used in committing the offense, not all of which are located in the same State;

"(3) the term 'State' includes the District of Columbia, the Commonwealth of Puerto

Rico, and any other possession or territory of the United States;

"(4) the term 'financial institution' means—

"(A) a bank with deposits insured by the Federal Deposit Insurance Corporation;

"(B) the Federal Reserve or a member of the Federal Reserve including any Federal Reserve Bank;

"(C) an institution with accounts insured by the Federal Savings and Loan Insurance Corporation;

"(D) a credit union with accounts insured by the National Credit Union Administration;

"(E) a member of the Federal home loan bank system and any home loan bank;

"(F) any institution of the Farm Credit System under the Farm Credit Act of 1971;

"(G) a broker-dealer registered with the Securities and Exchange Commission pursuant to section 15 of the Securities Exchange Act of 1934; and

"(H) the Securities Investor Protection Corporation;

"(5) the term 'financial record' means information derived from any record held by a financial institution pertaining to a customer's relationship with the financial institution;

"(6) the term 'exceeds authorized access' means to access a computer with authorization and to use such access to obtain or alter information in the computer that the accesser is not entitled so to obtain or alter; and

"(7) the term 'department of the United States' means the legislative or judicial branch of the Government or one of the executive departments enumerated in section 101 of title 5."

(h) LAW ENFORCEMENT AND INTELLIGENCE ACTIVITIES EXCEPTION.—Section 1030 of title 18, United States Code, is amended by adding at the end the following new subsection:

"(f) This section does not prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or of an intelligence agency of the United States."

Mr. HUGHES (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from New Jersey?

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Mr. McCOLLUM. Reserving the right to object, Mr. Speaker, and I shall not object, would the gentleman advise us what the Senate amendments do?

Mr. HUGHES. Mr. Speaker, will the gentleman yield?

Mr. McCOLLUM. I am delighted to yield to the gentleman from New Jersey.

Mr. HUGHES. Mr. Speaker, as the gentleman knows, the basic thrust of this bill remains its three new offenses with some minor changes in the existing law. The first proposes a 5-year felony violation for unauthorized access to a "Federal interest comput-

er" in furtherance of an intent to defraud. These computers are defined as computers used by the Federal Government, financial institutions or when conduct involves computers in different States. The second new offense, can be categorized as a malicious damage felony violation in regard to Federal interest computers if there is \$1,000 or more in damages.

It is in this second circumstance where the Senate has added an amendment penalizing alteration, damage, or destruction in connection with data relating to medical care or treatment. Where such conduct impairs or potentially impairs an individual's medical care, the other body did not believe a showing of \$1,000 in financial loss should be necessary. The House Judiciary Committee agrees that tampering with computerized medical treatment records, especially given the potentially life-threatening nature of such conduct, is serious enough to warrant punishment without a showing of pecuniary loss to the victims and therefore accepts this amendment.

The last new offense remains intact and is a misdemeanor provision designed to proscribe conduct associated with pirate bulletin boards used by some to display passwords to other persons' computers.

The other amendments by the Senate are basically technical in nature along with the addition of the Securities Investor Protection Corporation [SIPC] within the ambit of the definition of a "Federal interest" computer. SIPC is not technically an agency or establishment of the U.S. Government, although it performs an analogous function to the Federal Deposit Insurance Corporation [FDIC] and the Federal Savings and Loan Insurance Corporation [FSLIC] and the other body believed it would be appropriate to include it within the bill's protection. We concur in this conclusion.

H.R. 4718 as amended along with the legislation we passed in the last Congress will go a long way in deterring the emergence of the computer criminal in our society. We all recognize that it is not a panacea for high-tech crimes, but it along with appropriate security by the computer industry to protect itself should give this evolving technology essential safeguards.

Mr. McCOLLUM. Continuing my reservation, Mr. Speaker, I would very much like to commend the gentleman on that explanation. The bill was a very fine product out of the House and out of our subcommittee. The gentleman as chairman of that subcommittee worked very hard to perfect this legislation. It sounds to me as though the Senate amendments have improved the bill and I am very supportive of it.

Mr. NELSON of Florida. Mr. Speaker, will the gentleman yield?

Mr. McCOLLUM. Mr. Speaker, under my reservation, I yield to the

gentleman from Florida [Mr. NELSON], who has worked quite hard on this legislation.

Mr. NELSON of Florida. Mr. Speaker, I thank my colleague from Florida for yielding.

I just wanted to come and express to this committee and its leadership my appreciation now over the course of 4 years that we have been working on this legislation. It has all come together where we now with the President's signature on this legislation that we pass today will have in place a comprehensive computer crime law that will give our prosecutors the adequate tools to go after these new high-tech kind of criminals who use the computer keyboard instead of the crowbar and the blowtorch to commit some what we consider crimes of the normal kind that we think of; so I am just very happy to see this finally come to fruition. I congratulate the leadership on handling this legislation over the last several years.

Mr. WYDEN. Mr. Speaker, will the gentleman yield?

Mr. McCOLLUM. Continuing my reservation, Mr. Speaker, I yield to the gentleman from Oregon [Mr. WYDEN].

Mr. WYDEN. Mr. Speaker, I'd like to commend my colleague and friend, Mr. HUGHES of New Jersey, for his leadership in this important area of legislation.

Today, we will consider a very important bill—one aimed at reducing the amount of computer crime. Mr. Speaker, "hacking" presents a tremendous danger to all of us. Personal desktop computers can be used to access everything from accounts in financial institutions to the classified ads. And, nowhere is this danger more significant than in the area of health care.

In 1983, with just a few taps of a computer keyboard, a group of adolescents broke into the computer system at Memorial Sloan Kettering Cancer Center in New York and jeopardized the lives of thousands of cancer patients nationwide.

These youngsters used a simple home computer to break into the radiation treatment computer at the center. As a result, they gained access to the radiation treatment records for 6,000 past and present patients and had at their fingertips the ability to control the radiation levels that every patient received. Clearly, that is a danger to patients we cannot let continue.

As a result of that crime, I introduced legislation H.R. 995 to make unauthorized access to some medical computer records a Federal crime. A similar provision is included in the computer crime bill before us today. The provisions make it a Federal crime to modify or impair the medical examination, diagnosis, treatment, or care of one or more individuals when using a Federal or interstate computer.

I think it is high time Congress outlaw interstate access to and tam-

pering with medical records through computers. If this legislation had been law in 1983, it might have served to deter the youngsters from tapping into Sloan-Kettering's computer. If we support the bill before us today, we will protect patients and health care providers from this danger in the future.

This is a big step in the right direction. I appreciate the willingness of the gentleman from New Jersey to accept these important provisions and I thank him for his leadership on this vital issue.

Mr. McCOLLUM. Continuing my reservation, Mr. Speaker, I thank the gentleman for his contribution. There is no question that the gentleman from Oregon [Mr. WYDEN] and the gentleman from Florida [Mr. NELSON] have made valuable input into this from the very beginning.

I am very pleased that we were able to create a product that came out of committee and that we got it as far as we did. Now that we have these amendments from the Senate, as the gentleman from New Jersey explained, they made some very valuable changes in this legislation over there, not major changes in certain ways, but they expanded, for example, the area of the coverage of computers in brokerage houses to include all the securities computers that we discussed for so long in our committee. I think they refined it and did a little better job perhaps of perfecting the language, which we always appreciate.

I think the addition that the gentleman from New Jersey described in the medical area is very significant, because we have so many of our senior citizens dependent on the Medicare checks they receive. The thought of having any of those tampered with through the computer terminals with people absconding with the very moneys that our senior citizens are dependent upon for their health care is a tremendous thought. We should be very happy that we now have some provisions in law, if this goes on to be signed, as I am sure it will, that will give our law enforcement officials the opportunity to get into that and to work at it and to perfect criminal efforts on prosecution in that area.

Mr. HUGHES. Mr. Speaker, will the gentleman yield?

Mr. McCOLLUM. I am very glad to yield to the gentleman from New Jersey.

Mr. HUGHES. Mr. Speaker, as the gentleman knows, computer crime is a rapidly developing crime. We really have no idea just the dimensions of the problem. I am sure this is not going to be the last word on computer crime, but it certainly is a major step.

I want to congratulate the gentleman from Florida, the ranking Republican on the Subcommittee on Crime, and who has been a partner in developing this bipartisan initiative, which I think in the final analysis will put the federal law in pretty good shape.

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This particular issue was brought to my attention for the first time by our colleague, the gentleman from Florida [Mr. NELSON]. He worked very hard I know in the state legislature when he served in that body on computer crime.

Florida has become a model for other states to follow. We certainly pattern much of what we have done after the Florida initiative and much of what our colleague from Florida, BILL NELSON, brought to our attention.

Our colleague from Oregon has made a major contribution. I believe that his initiative passed early, as a matter of fact, dealing with medical records. Unfortunately, it did not move in the other body and we have gotten a major portion of that in this particular initiative; but certainly the tampering and damage of medical records is something that should be covered. It sometimes is beyond the capacity of States to deal with. That is what we are trying to do. We are not trying to replace what the states have done with their initiatives. What we are trying to do is we are trying to supplement what the states have done to try to deal with those areas that in fact cry out for federal relief.

I think it is a well-crafted bill and I want to thank my colleague from Florida for his cooperation.

Mr. McCOLLUM. Continuing my reservation, Mr. Speaker, I again want to commend the gentleman from New Jersey. It was indeed a thought product well-crafted and we are very proud we are here with it today.

I agree with the amendments that have been tacked on to this.

Mr. HUGHES. Mr. Speaker, I thank the gentleman.

Mr. McCOLLUM. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from New Jersey?

There was no objection.

A motion to reconsider was laid on the table.

The Speaker pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

[Mr. ANNUNZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

#### INTRODUCTION OF JOINT RESOLUTION OF FREEDOM OF INFORMATION DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado [Mr. WIRTH] is recognized for 5 minutes.

Mr. WIRTH. Mr. Speaker, today, along with 217 of my colleagues, I am introducing a joint resolution authorizing the President to proclaim Monday, March 16, 1987, as national Freedom of Information Day. The bipartisan support given to a similar resolution I intro-

duced last year enabled Americans to celebrate Freedom of Information Day on March 16, 1986.

March 16, 1751, was the birthday of our fourth President and father of the Bill of Rights, James Madison. Two hundred thirty-six years later we live in a society in which we enjoy a free exchange of information and ideas. The origins of these freedoms can be attributed directly to Mr. Madison's contributions to our Constitution. America's traditions of freedom of speech and freedom of the press have become two precious legacies left to us by Mr. Madison. These two constitutionally guaranteed rights set us apart from societies which do not permit their citizens a voice in their government. These rights are the forces that define a nation as a democracy.

At the dawn of our country, Mr. Madison envisioned a new society led by a government open and accessible to the people that it served. The citizens of this Nation would enjoy, when armed with the truth, what he called a peculiar freedom to scrutinize their government. In this way, the United States would remain forever by and for the people. Our citizens, empowered with information, could hold their officials accountable for their actions and make electoral decisions based on honest and open debate. James Madison recognized that a government, faced with an informed society and an active press, must be responsive to its citizens.

More than 200 years ago, these ideas were considered radical. Yet today most Americans take these freedoms—the freedom to ask questions and receive an honest answer, the freedom to hold Government officials up to public scrutiny—for granted. And we strongly condemn the lack of these freedoms in other societies. Yet, we sometime forget that the freedom of information and the opportunity to openly exchange ideas form a foundation for most of our other constitutional freedoms.

A national Freedom of Information Day in 1987 would once again serve to remind Americans and the rest of the world of the vital role these liberties have played in shaping this country. It would honor the most fundamental right of an American—the right to a free and robust marketplace of diverse ideas. I urge the House to adopt this proposal honoring James Madison and the principles for which he stood.

The text of the bill follows:

H.J. Res. —

Joint resolution designating March 16, 1987, as "Freedom of Information Day"

Whereas a fundamental principle of our Government is that a well-informed citizenry can reach the important decisions that determine the present and future of the Nation;

Whereas the freedoms we cherish as Americans are fostered by free access to information;

Whereas many Americans, because they have never known any other way of life, take for granted the guarantee of free access to information that derives from the First Amendment to the Constitution of the United States;

Whereas the guarantee of free access to information should be emphasized and celebrated annually; and

Whereas March 16, is the anniversary of the birth of James Madison, one of the Founding Fathers, who recognized and supported the need to guarantee individual rights through the Bill of Rights: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That March 16, 1987, is designated as "Freedom of Information Day", and the President is authorized and requested to issue a proclamation calling upon Federal, State, and local government agencies and the people of the United States to observe the day with appropriate programs, ceremonies, and activities.*

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 60 minutes.

[Mr. GINGRICH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon [Mr. WEAVER] is recognized for 30 minutes.

[Mr. WEAVER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. WALKER] is recognized for 60 minutes.

[Mr. WALKER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WEISS (at the request of Mr. WRIGHT), for the balance of the second session, on account of illness.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. WYDEN) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. WIRTH, for 5 minutes, today.

Mr. WEAVER, for 30 minutes, today.

Mr. HOYER, for 60 minutes, on October 7.

#### EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. COMBEST) and to include extraneous matter:)

Mrs. ROUKEMA.

Mr. SHAW.

Mr. BURTON of Indiana.

Mr. FRENZEL in five instances.

Mr. CHANDLER.

Mr. BOEHLERT.

(The following Members (at the request of Mr. WYDEN) and to include extraneous material:)

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Mr. ANDERSON in 10 instances.  
 Mr. GONZALEZ in 10 instances.  
 Mr. ANNUNZIO in six instances.  
 Mr. JONES of Tennessee in 10 instances.  
 Mr. BONER of Tennessee in five instances.  
 Mr. DE LA GARZA in 10 instances.  
 Mr. HALL of Ohio.  
 Mr. FUQUA.  
 Mr. STOKES.  
 Mr. CLAY.  
 Mr. STARK.  
 Mr. CARR.  
 Mr. BENNETT.  
 Mr. FRANK.  
 Mr. DYSON.  
 Mr. MAVROULES.  
 Mr. MONTGOMERY.  
 Mr. MICA.  
 Mr. MRAZEK.  
 Mr. MINETA.  
 Ms. MIKULSKI.  
 Mr. MARKEY.  
 Mr. BERMAN.  
 Mr. GARCIA in two instances.  
 Mrs. LLOYD.  
 Mr. MORRISON of Connecticut.

## SENATE BILLS AND JOINT RESOLUTIONS AND CONCURRENT RESOLUTION REFERRED

Bills and joint resolutions and concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2323. An act to exempt certain activities from provisions of the antitrust laws; to the Committee on the Judiciary.

S. 2448. An act to repeal Public Law 87-186 relating to the National Armed Forces Museum Advisory Board of the Smithsonian Institution; to the Committee on House Administration.

S.J. Res. 268. Joint resolution to provide for the reappointment of Murray Gell-Mann as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S.J. Res. 352. Joint resolution to designate the week beginning October 19, 1986, as "Gaucher's Disease Awareness Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 410. Joint resolution to designate the period commencing February 9, 1987, and ending February 15, 1987, as "National Burn Awareness Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 414. Joint resolution to designate March 16, 1987, as "Freedom of Information Day"; to the Committee on Post Office and Civil Service.

S.J. Res. 417. Joint resolution designating the week of January 25 through January 31, 1987 as "National Productivity Improvement Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 418. Joint resolution to designate February 4, 1987, as "National Women in Sports Day"; to the Committee on Post Office and Civil Service.

S. Con. Res. 130. Concurrent resolution to recognize the visit by the descendants of the original settlers of Furrysburg, South Carolina, to Neufchatel, Switzerland, in October of 1986 as an international gesture of goodwill; to the Committee on Foreign Affairs.

## ADJOURNMENT

Mr. WYDEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 28 minutes p.m.) the House adjourned until tomorrow, Tuesday, October 7, 1986, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4299. A letter from the Assistant Secretary of the Navy (Shipbuilding and Logistics), transmitting a third supplement to the environmental impact statement and supplemental information report on the St. Marys Entrance Channel for the Fleet Ballistic Missile Submarine Support Base at Kings Bay, GA, pursuant to 33 U.S.C. 1344(r); to the Committee on Appropriations.

4300. A letter from the Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting a report of political contributions by Stephen R. Lyne, of Maryland, Ambassador Extraordinary and Plenipotentiary of the United States designate to the Republic of Ghana, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

4301. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

4302. A letter from the Acting Administrator, Small Business Administration, transmitting the interim report on the pilot program involving the sale to investors of debentures guaranteed pursuant to section 503 of the Small Business Act of 1958 (16 U.S.C. 697), pursuant to Public Law 99-272, section 18008(b) (99 Stat. 367); to the Committee on Small Business.

4303. A letter from the Director, Congressional Budget Office and Director, Office of Management and Budget, transmitting the revised sequestration report for fiscal year 1987, pursuant to 2 U.S.C. 922(f); to the Temporary Joint Committee on Deficit Reduction.

4304. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize occupancy of substandard family housing units by members of the Coast Guard on the same basis as members of the other Armed Forces; jointly, to the Committees on Armed Services and Merchant Marine and Fisheries.

4305. A letter from the Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting a report on the transfer of property under the Panama Canal Treaty of 1977, pursuant to 22 U.S.C. 3784(b); jointly, to the Committees on Foreign Affairs and Merchant Marine and Fisheries.

4306. A letter from the Comptroller General, General Accounting Office, transmitting a report on the financial statements of the Commodity Credit Corporation for the fiscal years ended September 30, 1985 and 1984 and a report on the Corporation's system of internal accounting controls (GAO/AFMD-86-57), pursuant to 31 U.S.C. 9106(a); jointly, to the Committees on Government Operations and Agriculture.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 4731. A bill to amend chapter 131 of title 46, United States Code, relating to the Federal recreational boating safety program, and for other purposes; with amendments (Rept. 99-968). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 5598. A bill to provide for transfer of the Coast Guard cutter "Taney" to the city of Baltimore, MD, for use as a maritime museum and display (Rept. 99-969). Referred to the Committee of the Whole House on the State of the Union.

## SUBSEQUENT ACTION ON REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of Rule X the following action was taken by the Speaker:

*[Omitted from the record of October 3, 1986]*

H.R. 4568. Consideration of H.R. 4568 by the Committees on Foreign Affairs and Merchant Marine and Fisheries extended for an additional period ending not later than October 8, 1986.

H.R. 5540. Referral to the Committee on the Judiciary extended for a period ending not later than October 8, 1986.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FRANK:

H.R. 5649. A bill to amend title 39, United States Code, to provide free insurance up to the value of \$100 on mail items; to the Committee on Post Office and Civil Service.

By Mr. UDALL:

H.R. 5650. A bill to amend the Price-Anderson provisions of the Atomic Energy Act of 1954 to extend and improve the procedures for liability and indemnification for nuclear incidents; to the Committee on Interior and Insular Affairs.

By Mr. LELAND (for himself, Mrs. COLLINGS, Mr. WIRTH, Mr. BRYANT, and Mr. SWIFT):

H.R. 5651. A bill to amend the Communications Act of 1934 to provide for greater participation of women and minorities in telecommunications; to the Committee on Energy and Commerce.

By Mr. MARKEY:

H.R. 5652. A bill to provide for State regulation of the radiological hazards of production and utilization facilities, and for other purposes; jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

By Mr. WAXMAN:

H.R. 5653. A bill to amend the Controlled Substances Act to place artificially produced growth hormones in schedule II of that act; jointly, to the Committees on Energy and Commerce and the Judiciary.

By Mr. WIRTH (for himself, Mr. ACKERMAN, Mr. AKAKA, Mr. ANDERSON, Mr. ANDREWS, Mr. ASPIN, Mr. ATKINS, Mr. AUCCOIN, Mr. BARNES,